THE HON'BLE SRI JUSTICE P.S.NARAYANA

W.P.No.17056 of 2007

Dated: 03.12.2007

Between:

Chitikina Satyanarayana and another.

..Petitioners.

and

The Government of Andhra Pradesh, Irrigation Department, rep. by its Assistant Engineer Irrigation Cannel,Ramachandrapuram,East Godavari District and another.

..Respondents.

THE HON'BLE SRI JUSTICE P.S.NARAYANA

W.P.No.17056 of 2007

ORDER:

Heard the counsel.

2. This writ petition is filed for a writ of mandamus declaring the action of the respondents in taking steps to dispossess the petitioners from some part of their property in Sy.No.334/2 & 3 of Ramachandrapuram, East Godavari District, by proposing to assign the irrigation canal bund on the eastern side of the second petitioner's land to the third parties, as illegal, arbitrary, contrary and violative of fundamental rights guaranteed under the Constitution of India and also contrary to the Board Standing Orders, and consequently to direct the respondents to drop all further proceedings in this regard.

3. Several facts had been narrated in the affidavit filed in support of the writ petition. In the counter-affidavit filed by the first respondent, it is stated that with regard to assignment of the land, nobody had approached this respondent as alleged in the writ petition. The Revenue Department or the petitioners had not informed the Irrigation Department regarding the assignment of land. The assignment process will be done only by the Revenue Department and the Irrigation Department is not concerned with the assignment of the land. The revenue authorities have not

approached the Irrigation Department and there is no encroachment of the irrigation canal bund, which is covered in R.S.No.333/1 as there is no vacant land in between.

4. In the light of the specific stand taken in the counter-affidavit, the Writ Petition is disposed of with a direction to follow due process of law in the event, the respondents taking further action in this regard. No order as to costs.

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P.S.NARAYANA, J

Dated: 03.12.2007

sj